

**PART 900—COORDINATION OF
FEDERAL AUTHORIZATIONS FOR
ELECTRIC TRANSMISSION FACILITIES**

Sec.

- 900.1 Purpose.
- 900.2 Applicability.
- 900.3 Definitions.
- 900.4 Pre-application mechanism.
- 900.5 Request for coordination.
- 900.6 Coordination of permitting and related environmental reviews.

AUTHORITY: 16 U.S.C. 824p(h).

SOURCE: 73 FR 54459, Sept. 19, 2008, unless otherwise noted.

§ 900.1 Purpose.

This part provides a process for the timely coordination of Federal authorizations for proposed transmission facilities pursuant to section 216(h) of the Federal Power Act (FPA). The regulations provide for the compilation of a single environmental review document in order to coordinate all permitting and environmental reviews required to be issued under Federal law. They also provide an opportunity for non-Federal entities to coordinate their own separate non-Federal permitting and environmental reviews with that of the permitting entities.

§ 900.2 Applicability.

(a) DOE accepts requests for coordination of Federal authorizations under this part only for facilities that are used for the transmission of electric energy in interstate commerce for the sale of electric energy at wholesale.

(b) DOE does not accept requests for coordination under this part of Federal authorizations for electric transmission facilities located within the Electric Reliability Council of Texas interconnection.

(c) DOE does not accept requests for coordination under this part from persons that have submitted an application to the Federal Energy Regulatory Commission (FERC) for issuance of a permit for construction or modification of a transmission facility under 18 CFR 50.6 or have initiated pre-filing procedures under 18 CFR 50.5.

(d) DOE, in exercising its responsibilities under this part, will consult regularly with FERC, electric reliability

organizations, and transmission organizations approved by FERC.

§ 900.3 Definitions.

As used in this part:

Applicant means a person or entity who is seeking a Federal authorization.

Director means the Director of Permitting and Siting in the Office of Electricity Delivery and Energy Reliability within DOE.

DOE means the U.S. Department of Energy.

Federal authorization means any authorization required under Federal law to site a transmission facility, including permits, special use authorizations, certifications, opinions, or other approvals. This term includes authorizations issued by Federal and non-Federal entities that are responsible for issuing authorizations under Federal law for a transmission facility.

FERC means the Federal Energy Regulatory Commission.

FPA means the Federal Power Act (16 U.S.C. 791–828c).

Indian tribe has the same meaning as provided in 25 U.S.C. 450b(e).

NEPA means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*)

Non-federal entity means Indian tribes, multistate entities, and State agencies.

Permitting entity means any Federal or non-Federal entity that is responsible for issuing Federal authorizations.

Request for coordination means a request to DOE for coordination of Federal authorizations under this part.

Requester means an applicant that is seeking DOE coordination of Federal authorizations under this part.

Single Environmental Review Document means the total material that the permitting entities develop—with the lead agency for preparing the NEPA document being primarily responsible—and that DOE shall assemble, along with any other material considered necessary and made available by DOE, in order to fulfill Federal obligations for preparing NEPA compliance documents and all other analyses required to comply with all environmental, cultural and historic preservation statutes and regulations under Federal